

**VIRGINIA:**

**IN THE CIRCUIT COURT OF THE CITY OF CHESAPEAKE**

<b>COMMONWEALTH OF VIRGINIA</b>	)	<b>CASE NOS. CR03-3089, CR03-3090, CR03-3091</b>
<b>VERSUS</b>	)	
<b>LEE BOYD MALVO a/k/a</b>	)	<b>INDICTMENT - CAPITAL MURDER (2</b>
<b>John Lee Malvo</b>	)	<b>Counts) and USING A FIREARM IN THE</b>
		<b>COMMISSION OF A FELONY</b>

**JURY TRIAL – Day 24**

On December 18, 2003, Robert F. Horan, Jr., the Commonwealth's Attorney, Raymond Morrogh, the Deputy Commonwealth's Attorney, LEE BOYD MALVO a/k/a John Lee Malvo, the Defendant, and Michael Arif and Craig Cooley, co-counsel for the Defendant, appeared before this Court. The Defendant is indicted for the felonies of CAPITAL MURDER (2 Counts) and USING A FIREARM IN THE COMMISSION OF A FELONY and he appeared while in custody.

The Court denied the Defendant's motion regarding the Commonwealth's use of prison life testimony in the sentencing phase of the trial.

The jurors returned to the jury room and continued their deliberations. After some time, the jurors returned to Court and rendered the following verdicts

We, the Jury, on the issue joined in the case of the Commonwealth of Virginia versus Lee Boyd Malvo, find the Defendant guilty of CAPITAL MURDER in the commission of or the attempted commission of an act of terrorism, as charged in Count I of the indictment.

\_\_\_\_\_  
/S/

Foreperson

We, the Jury, on the issue joined in the case of the Commonwealth of Virginia versus Lee Boyd Malvo, find the Defendant guilty of CAPITAL MURDER (killing of more than one person within a three-year period), as charged in Count II of the indictment.

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/S/

Foreperson

We, the Jury, on the issue joined in the case of the Commonwealth of Virginia versus Lee Boyd Malvo, find the Defendant guilty of USING A FIREARM IN THE COMMISSION OF A FELONY, as charged in Count III of the indictment.

/S/  
Foreperson

The Court, being of the opinion that this case could not be completed today, admonished the jurors as to their behavior during the recess and continued this case to December 19, 2003, at 10:00 a.m. for presentation of the evidence regarding punishment in this case.

The Defendant was remanded to the custody of the Sheriff.

Entered on December 18, 2003.

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JANE MARUM ROUSH  
JUDGE DESIGNATE